

U.S. ENVIRONMENTAL PROTECTION AGENCY
POLLUTION/SITUATION REPORT
Deferiet Paper Mill RV4 - Removal Polrep



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
Region II

Subject: **POLREP #13**
Machine Room & Boiler House
Deferiet Paper Mill RV4
A26F
Deferiet, NY
Latitude: 44.0389693 Longitude: -75.6816924

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From: Joel Petty, On-Scene Coordinator
Date: 7/6/2021
Reporting Period: 6/28/21 - 7/5/21

1. Introduction

1.1 Background

Site Number:	A26F	Contract Number:	68HE0220D0003
D.O. Number:	68HE0220F0061	Action Memo Date:	8/26/2020
Response Authority:	CERCLA	Response Type:	Time-Critical
Response Lead:	EPA	Incident Category:	Removal Action
NPL Status:	Non NPL	Operable Unit:	
Mobilization Date:	10/14/2020	Start Date:	10/14/2020
Demob Date:		Completion Date:	
CERCLIS ID:	NYD002229169	RCRIS ID:	
ERNS No.:		State Notification:	
FPN#:		Reimbursable Account #:	

1.1.1 Incident Category

A time-critical removal action is warranted to mitigate the release of asbestos and the threat of future releases at and from the Site.

1.1.2 Site Description

The Site is the location of the former Deferiet Paper Mill which began operations in 1899. The facility is no longer operational, however, there is an adjacent, operational hydroelectric power plant operated by Brookfield Renewable Energy Partners LP or Brookfield Renewable Power, Inc. (collectively "Brookfield") which is physically adjoined to portions of on-site buildings (sulfite room, beater room, and electrical room).

The historic facility encompassed approximately 48 acres with a series of buildings that housed the former

paper mill and hydroelectric power plant. The original mill manufactured paper of varying types, including newsprint and glossy magazine paper. The hydroelectric power plant was built by the mill to generate steam which supplied electrical power for the machinery as well as the facilities. The paper mill has been abandoned since the mid-2000s and, with the exception of the power plant, is in a severe state of disrepair.

In 2006, the property was auctioned off to Deferiet Development, LLC (Deferiet Development). Deferiet Development purchased the Site for the purpose of recovering steel, brass and other metals. In the process of recovering metal, Deferiet Development also dismantled and/or damaged portions of many of the on-site buildings. This included dismantling of the overhead, exterior steam pipes between the machine rooms and boiler room, leaving pipe insulation with friable asbestos exposed to the elements. These two buildings flank an easement utilized daily by Brookfield employees to reach the main access point for the power plant. Brookfield employees were concerned because of potential exposure to friable asbestos whenever they accessed the easement. Brookfield raised their employees concerns to Jefferson County officials. In December 2015, Jefferson County requested the assistance of EPA to evaluate the area for suspect asbestos-containing material (SACM).

1.1.2.1 Location

The Site is located at 400 Anderson Avenue (44.03918056°, -75.68388889°) in the Village of Deferiet, Jefferson County, New York 13628-0040, and consists of one parcel (Lot 67) of the abandoned paper mill. The original Deferiet Paper Mill encompassed several contiguous parcels of land bisected by the Niagara Mohawk Power Canal (Power Canal), a diverted portion of the Black River. While the original Deferiet Paper Mill parcels measure approximately 128.5 acres combined, the Site property is considered to be only Parcel #66.82-1-67, which is west of the Power Canal. The hydropower plant operated by Brookfield is situated on the Power Canal, adjacent to the Site, and measures approximately 0.5 acres.

The Site is surrounded by residential properties to the north, west, and south, and the Power Canal to the east. Approximately 200 people live within a quarter mile of the Site.

1.1.2.2 Description of Threat

There is an ongoing release of friable asbestos-containing material (ACM) at the Site. Asbestos is designated as a CERCLA hazardous substance under 40 CFR Table 302.4 when friable. Friability is the ease with which a material can be crumbled, pulverized or reduced to powder when dry, by applying hand pressure. The degree of friability of the ACM determines the potential for fibers to be released into the air. Analysis of samples collected from the Site has identified friable asbestos present in the alleyway traversed by Brookfield personnel to access their hydroelectric building. Friable asbestos is also present throughout site buildings and is exposed to the elements as many of the buildings have been partially demolished. There is a significant threat to human health for individuals who may come in direct contact with this uncontrolled release of friable asbestos. Furthermore, asbestos fibers may migrate into the surrounding areas via airborne releases, stormwater, or tracking.

1.1.3 Preliminary Removal Assessment/Removal Site Inspection Results

In March 2016, EPA activated and mobilized its Emergency and Rapid Response Services (ERRS) contractors to assess the situation and apply a sealant on asbestos-containing pipe insulation exposed in the alleyway, considered as RV1 removal activities, to temporarily protect Brookfield employees and the public, given that evidence of trespassing had been observed on-site. In addition, an assessment of areas outside the alleyway was recommended to determine if asbestos was present in building materials, existing debris piles, partially demolished structures, equipment, and other locations at the Site. RV1 removal activities were completed on August 30, 2016.

On June 6, 2017, EPA and its Removal Support Team [RST; now the Superfund Technical Assessment and Response Team (START)] contractors surveyed the Site with personnel from Brookfield. All buildings that were part of the historic Deferiet Paper Mill (to the west of the Power Canal) were observed to be vacant and abandoned. Several structures were partially demolished, had been allowed to fall into disrepair and were impacting the structural integrity of the hydropower plant. Many building facades were observed to have openings likely from the extraction of large equipment that may have been sold or scrapped. SACM was observed to be exposed to weather conditions, damaged, hanging from numerous structures including equipment and piping, and present on various surfaces and in the interior and exterior of the structures. While fencing was observed to be in place along the western perimeter of the Site, portions of it appeared to be intentionally damaged by trespassers. In addition, the southern boundary of the Site appeared to be open without security measures to prevent entry. Evidence of routine and recent trespassing was observed throughout the Site, including in areas that are structurally unsound, contain SACM, and are generally unsafe for use or occupancy.

Between June 2017 and May 2018, sampling indicated the presence of asbestos in the turbine room, boiler house, machine room, wet room, beater room, electrical room, and company garage. Concentrations up to 30.8% chrysotile, 12.5% crocidolite, and 30% amosite asbestos were identified. Based upon the locations of the ACM in areas which presented physical hazards, including within deteriorating buildings, EPA began evaluating mitigation options.

In September and October 2018, Brookfield informed EPA that the encapsulant used during RV1 was continuing to deteriorate, exposing larger areas of ACM within the alleyway accessed by their personnel. In October 2018, EPA activated and mobilized ERRS contractors to apply additional sealant on asbestos-containing pipe insulation exposed in the alleyway area to temporarily protect Brookfield employees and the public. This work (RV3) was completed on October 17, 2018.

EPA and Brookfield personnel held a series of discussions on how to more permanently mitigate the threats posed by ACM within Brookfield's access alleyway and throughout the property, since the on-site buildings containing ACM continue to deteriorate rapidly and the encapsulant utilized to mitigate the threat of asbestos in the alleyway has again begun to degrade due to weathering. Complete asbestos abatement through large-scale demolition of deteriorating, open buildings containing ACM has been determined to be

impractical. EPA conducted Site visits with Brookfield personnel on October 17 and November 19, 2019. Encapsulant on pipe wrapping and other materials that EPA had installed during previous removal activities was observed to be deteriorating due to exposure to weather conditions. There was evidence of recent, frequent trespassing in buildings containing ACM and the buildings showed signs of further deterioration.

The sampling results, along with field observations made by EPA, indicate that conditions at the Site meet the criteria for a time-critical removal action under CERCLA, as documented in Section 300.415(b)(2) of the NCP.

2. Current Activities

2.1 Operations Section

2.1.1 Narrative

Analysis of samples collected from the Site identified friable asbestos present in the easement traversed by Brookfield personnel to access their hydroelectric building as well as friable asbestos throughout many of the on-site buildings. There is an ongoing potential and actual release of asbestos at the Site, which presents a significant threat to human health for individuals who may come in contact with an uncontrolled release of friable asbestos. The RV4 Action Memorandum was signed by the SEMD Division Director on August 26, 2020, which authorized funding for asbestos mitigation in areas and buildings evaluated by a structural engineer.

2.1.2 Response Actions to Date

See previous PolReps for on-site activities prior to June 28, 2021.

From June 28 through July 1, 2021, ERRS was on site conducting asbestos abatement activities in the 1st floor of the boiler house and the southside of the machine room closest to the easement. ERRS continued loading roll-offs with bagged ACM and debris throughout the week. On June 28, 2021, ERRS completed asbestos abatement activities in the boiler house. On June 29, 2021, ERRS moved all equipment over to the machine room and began abatement activities in the machine room. ERRS continued asbestos abatement in the machine room the remainder of the week.

The 3rd Party Air Monitor (Monitor) was on-site all week collecting asbestos air samples and performing oversight of abatement activities to ensure compliance with NYSDOL Code Rule 56. All air samples analyzed were below 0.01 fibers/cubic centimeter (f/cc). In addition, three bulk SACM samples were collected near the northern entrance of the machine room. Asbestos was detected in two of these samples and the associated piping will be removed.

2.1.3 Enforcement Activities, Identity of Potentially Responsible Parties (PRPs)

EPA has identified Deferiet Development LLC as the owner of the facility. Representatives of the property owner have declined to perform the necessary removal activities at the Site.

2.1.4 Progress Metrics

<i>Waste Stream</i>	<i>Medium</i>	<i>Container #</i>	<i>Container Size (cu yds)</i>	<i>Quantity (Tons)</i>	<i>Manifest #</i>	<i>Date Shipped</i>	<i>Disposal</i>
Friable Asbestos	Pipe Insulation & Debris	SC3014	30	6.37	64313-01	5/24/21	Ontario County Landfill
Friable Asbestos	Pipe Insulation, Piping, & Debris	SCR3002	30	9.18	64313-02	5/27/21	Ontario County Landfill
Friable Asbestos	Pipe Insulation & Debris	SC2532	25	4.6	64313-03	6/8/21	Ontario County Landfill
Friable Asbestos	Pipe Insulation & Debris	SCR3004	30	7.32	64313-04	6/16/21	Ontario County Landfill
Friable Asbestos	Pipe Insulation & Debris	SC3014	30		64313-05	7/6/21	Ontario County Landfill

2.2 Planning Section

2.2.1 Anticipated Activities

Under RV4, EPA has evaluated each building and area on the Site for asbestos mitigation activities. Asbestos mitigation activities will include removal, encapsulation, and site security measures.

2.2.1.1 Planned Response Activities

EPA will continue asbestos abatement in buildings/areas on-site where it has been determined that work can safely be conducted. The current order of areas to be abated are the machine room, area in the

easement between boiler house and turbine room, and the beater room.

2.2.1.2 Next Steps

EPA will continue asbestos mitigation activities the week of July 5, 2021. Abatement activities will continue in the machine room and the area in the easement between the boiler house and turbine room.

2.2.2 Issues

There are no issues at this time.

2.3 Logistics Section

All logistics will be handled and monitored by the appropriate contractor or agency.

2.4 Finance Section

2.4.1 Narrative

On August 26, 2020, the SEMD Director approved an Action Memorandum for RV4 for the amount of \$1,244,000, of which \$1,017,000 is for mitigation contracting.

The below table includes both final and pending ERRS costs.

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
ERRS - Cleanup Contractor	\$1,017,000.00	\$530,000.00	\$487,000.00	47.89%
TAT/START	\$20,000.00	\$0.00	\$20,000.00	100.00%
Intramural Costs				
Total Site Costs	\$1,037,000.00	\$530,000.00	\$507,000.00	48.89%

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

2.5 Other Command Staff

2.5.1 Safety Officer

The EPA OSC is in charge of overall safety at the Site. The ERRS RM has been designated as the Site safety officer. A Health and Safety Plan was generated by ERRS.

2.5.2 Liaison Officer

The EPA OSC is performing the activities of a Liaison Officer. The OSC is coordinating operations between the ERRS contractor(s) and the local officials. Meetings with Village Officials and the public will be coordinated with the OSC.

2.5.3 Information Officer

Michael Basille is the designated Community Involvement Coordinator for the Site and can be reached at 716-551-4410.

3. Participating Entities

3.1 Unified Command

Unified Command has not been set up for this site.

3.2 Cooperating Agencies

NYSDEC, NYSDEC, Jefferson County, and the Village of Deferiet

4. Personnel On Site

June 28 - July 1, 2021

EPA: 1

1 OSC

ERRS: 8

1 Response Manager

1 FCA

1 Asbestos Supervisor

5 Asbestos Technicians

3rd Party Air Monitor: 1

5. Definition of Terms

ACM - Asbestos-containing Materials
CERCLA - Comprehensive Environmental Response, Compensation, and Liability Act
ERRS - Emergency and Rapid Response Services
HEPA - High Efficiency Particulate Air
NCP - National Contingency Plan
NESHAP - National Emission Standards for Hazardous Air Pollutants
NIOSH - National Institute for Occupational Safety & Health
NPL - National Priorities List
NYSDEC - New York State Department of Environmental Conservation
NYSDOH - New York State Department of Health
NYSDOL - New York State Department of Labor
OSC - On-Scene Coordinator
PAH - Polycyclic Aromatic Hydrocarbon
PCM - Phase Contrast Microscopy
PEL - Permissible Exposure Limit
PLM - Polarized Light Microscopy
RCRA - Resource Conservation and Recovery Act
RM - Response Manager
RST - Removal Support Team
RV1 - Removal Action 1
RV2 - Removal Action 2
RV3 - Removal Action 3
RV4 - Removal Action 4
SACM - Suspect Asbestos-containing Materials
SEMD - Superfund and Emergency Management Division
START - Superfund Technical Assessment and Response Team
TEM - Transmission Electron Microscopy

6. Additional sources of information

6.1 Internet location of additional information/report

https://response.epa.gov/DeferietPaperMill_RV4

6.2 Reporting Schedule

There is no additional information to report at this time.

7. Situational Reference Materials

No situational reference materials at this time.